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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 2855/2016**

KAMALJEET SINGH & ORS

..... Petitioners

Represented by: Mr. Amulya Dhingra, Advocate
with Petitioner No.1 & 2 in
person.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Represented by: Ms. Rajni Gupta, APP for the
State with Inspector Adith
Lilly, PS CWC, Nanak Pura
and SI Narinder Kaur.
Mr. Prabhjit Jauhar, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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09.08.2016

Crl. M.A. No. 12242/2016 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 125/2009 under Sections 498A/406/34 IPC registered at PS Crime against Women Cell, Nanak Pura, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officer submits that besides the petitioners mentioned in the memo of
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parties, there is no other accused and besides the respondent No.2 there is no other complainant/victim in the present FIR.

The complainant/Respondent No. 2 Ms.Jasmine Singh is present in Court and is identified by the learned counsel and the Investigating Officer. She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise. Divorce between petitioner No.3 and respondent No. 2 has already been granted by the Canadian Court. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No. 3 has to pay of ₹95 lakhs out of which ₹25 lakhs has already been received by her and the balance amount of ₹70 lakhs has been received by her today in Court by way of Demand Draft No.812016 dated 18th July, 2016 drawn on Yes Bank, Worli Mumbai. Respondent No. 2 accepts receipt of payment of ₹95 lakhs in lieu of settlement of all her claims and also the maintenance of the minor child Taran Singh, who is in her custody, towards the petitioners and she will make no claim for her maintenance. She further states that in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner Nos. 1 and 2 are present in Court and are identified by their counsel. Petitioner No.3 is represented by the petitioner No.1 who is his power of attorney. Copy of the Special Power of Attorney is at Pages 97 to 100 of the paper-book. Petitioner No. 1 on his behalf and on behalf of the petitioner No.3 and petitioner No.2 state that they will abide by the terms of the settlement.

In view of the fact that the parties have amicably resolved their
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differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 125/2009 under Sections 498A/406/34 IPC registered at PS Crime against Women Cell, Nanak Pura, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

Crl. M.A. No.12243/2016 (quashing of lookout circular)

Since FIR No. 125/2009 under Sections 498A/406/34 IPC registered at PS Crime against Women Cell, Nanak Pura, Delhi has been quashed, the lookout circular issued against the petitioner No.3 pursuant to registration of the above-noted FIR is cancelled.

Application is disposed of.

MUKTA GUPTA, J.

AUGUST 09, 2016
‘vn’